

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED

JUN 03 2005

JOHN F. CORCORAN, CLERK
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA,

v.

BRYANT O'NEAL BANKS,

Defendant.

CRIMINAL CASE No. 3:04-CR-00083


ORDER

JUDGE NORMAN K. MOON

Pursuant to 28 U.S.C. § 636 and upon Defendant's consent, this case was referred to United States Magistrate Judge B. Waugh Crigler to conduct a plea hearing. No objections have been filed to Judge Crigler's Report and Recommendation, which was filed on May 13, 2005. Upon review of the Report and Recommendation, the Court finds that the guilty plea hearing was conducted in accordance with the requirements of Federal Rule of Criminal Procedure 11, that Defendant is fully competent and capable of entering an informed plea, and that his plea of guilty is a knowing and voluntary plea supported by an independent basis in fact containing each of the essential elements of the offense. Accordingly, the Court ADOPTS the Report and Recommendation and ACCEPTS Defendant's plea of guilty to Counts One, Two, Three, Four, Five, and Seven of the indictment and adjudges Defendant guilty of those offenses. The Court further DIRECTS that a presentence report be prepared and ORDERS that acceptance of the plea agreement is deferred until after the presentence report has been submitted to the Court. The Court's scheduling clerk, Fay Coleman, will contact both parties to schedule a sentencing

hearing.

The Clerk of the Court is directed to send a certified copy of this Order to all counsel of record.

ENTER: 
U.S. District Court Judge

DATE: 6/3/05